

### **REMARKS**

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of February 6, 2008. Claims 1 and 21 have been amended. Claims 1-34 are currently pending.

Reconsideration of the Application is requested in view of the comments and amendments herein.

#### **I. The Office Action**

Claims 1-6, 15-19, 21-24, 33 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Allen et al. (U.S. Patent No. 6,549,299).

Claims 7, 8, 14, 20, 25, 26 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. (U.S. Patent No. 6,549,299) in view of Hower, Jr. et al. (U.S. Patent No. 467,434).

Claims 9-13 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. U.S. Patent (6,549,299) in view of Hower, Jr. et al. (U.S. Patent No. 467,434) and further in view of Neilsen U.S. Patent No. 6,639,687).

#### **II. Rejection of Claims 1-6, 15-19, 21-24, 33 and 34 Under 35 U.S.C. 102(e)**

Claims 1-6, 15-19, 21-24, 33 and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Allen et al (U.S. Patent No. 6,549,299). It is respectfully requested that this rejection be withdrawn for at least the following reasons. Allen does not teach or suggest the subject embodiment as set forth in independent claims 1 and 21 (and claims 2-19 and 22-34 which depend therefrom).

As amended, independent claim 1 (and similarly independent claim 21) recites an integrated and digital production and finishing system for producing and finishing work pieces of a job. A production device produces the work pieces of the job and a finishing device that finishes the output of the production device, which is controlled separately from the production device and has at least one constraint. A production monitor controller receives the at least one constraint from the finishing device and outputs job coordination and optimization information, based at least in part upon constraints of the finishing device. The production monitor controller presents a user

with optimization recommendations. A finishing module coordinator that, after receiving job coordination information output from the production monitor controller, identifies each device necessary for completion of the job, determines if each needed device is available, and controls, directs and tracks the operation of the finishing device. Allen does not teach or suggest the subject embodiment as set forth in the subject claims.

In particular, Allen fails to teach or suggest a production monitor controller that outputs job coordination and optimization information and presents a user with optimization recommendations. The Examiner refers to Fig. 1, col. 3, lines 17-26 to support the contention that Allen discloses a production monitor controller that receives the at least one constraint from the finishing device and outputs job coordination information. Allen discloses a computer, which prints a computer readable instruction sheet indicating various things about the tasks that are to be subsequently performed by the finishing machine. However, Allen does not disclose that such instruction sheet provides optimization information to recommend to a user the most favorable conditions for implementing a particular job, and no such disclosure can be inferred from Allen's teachings.

Further, although Allen discloses a finishing machine with a control logic (Fig. 3, col. 4. Lines 29-45), Allen fails to teach or suggest a finishing module coordinator that identifies each device necessary for completion of the job, determines if each needed device is available, and controls, directs, and tracks the operation of the finishing device. The control logic of Allen controls and coordinates various finishing tools and components of finishing machine. The control logic does not identify needed devices or determine if each needed device is available. Further, the control logic does not track the operation of the finishing device to ensure proper completion.

Applicant further asserts that Allen does not teach an integrated production and finishing system. As disclosed in column 3, lines 3-6, the "finishing machine is a standalone machine meaning that it is not under the direct control of the apparatuses being used to print document sheets." The Examiner argues that since the computer instructs the finishing machine, it can be considered to have control over the machine (Office Action page 2, section 2). However, Allen explicitly states that the finishing machine is not under the direct control of the apparatus being used to print document

sheets; therefore, what the Examiner is proposing is improper. The Examiner further refers to col. 7, lines 33-42, which recites "a single computer is used to both print the document sheets and unambiguously specify details of the subsequent finishing operations. This integrates the document creation process with the finishing process, without requiring any physical control link between the finishing machine and the computer..." Although Allen states the document creation and finishing processes are integrated, Allen does not teach an integrated system as is disclosed in the subject claims. The teachings of Allen simply reiterate that there is no physical control link between the finishing machine and the computer. Clearly, Allen does not teach or suggest an integrated production and finishing system.

For at least the aforementioned reasons, Allen fails to teach or suggest the subject embodiment as recited in independent claims 1 and 21 (and claims 2-6, 15-19, 22-24, 33 and 34, which respectively depend therefrom). Accordingly, Applicants respectfully request withdrawal of the rejection.

**III. Rejection of Claims 7, 8, 14, 20, 25, 26 and 32 Under 35 U.S.C. 103(a)**

Claims 7, 8, 14, 20, 25, 26 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Allen as applied to claims 1 and 21 above, and further in view of Hower, Jr. et al. (U.S. Patent No. 5,467,434). It is respectfully requested that this rejection be withdrawn for at least the following reason. Allen in view of Hower, Jr., individually or in combination, does not teach or suggest the subject embodiment as recited in the subject claims.

Claims 7, 8, 14, 25, 26 and 32 depend from independent claims 1 and 21 respectively and therefore contain all the features and element of the independent claim from which it depends. Hower, Jr. fails to make up for the aforementioned deficiencies of Allen. Therefore, the rejection of such claims should be withdrawn.

Independent claim 20 recites a digital system for integrating and controlling assembler/finishing processes. The digital system includes a production monitor controller that separates a production job into job segments based upon the capabilities and constraints of devices to be used in the production process as well as at least one database for storing information concerning the capabilities and constraints of devices

to be used in the production process and for storing job segment descriptions. Additionally, the system comprises a finishing module coordinator in communication with assembler/finisher devices and with at least one database for control, tracking, and integrity functions of job segments during the production process. Allen and Hower, Jr. do not, individually or in combination, teach or suggest the embodiments as recited in the subject claims.

The Examiner's rejection of independent claim 20 is unsupported and improper under MPEP §706.02(j). Although claim 20 is included under the general umbrella of the rejection, the Examiner fails to support this rejection in any way. The MPEP states that for a rejection under 35 U.S.C. 103, an examiner should set forth 1) the relevant teachings of the prior art relied upon, the difference in the claim over the applied references, the proposed modification of the applied references necessary to arrive at the claimed subject matter and an explanation as to why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification. The embodiments of independent claim 20 are not addressed by the Examiner, nor are any elements of the claim deemed obvious by the Examiner. Therefore, Applicant respectfully requests the withdrawal of the rejection.

**IV. Rejection of Claims 9-13 and 27-31 are Rejected Under 35 U.S.C. 103(a)**

Claims 9-13 and 27-31 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Allen and Hower, Jr. as applied to claims 8 and 26 above, and further in view of Neilsen (U.S. Patent No. 6,639,687). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Claims 9-13 and 27-31 are dependent on independent claims 1 and 21 respectfully and Neilsen does not make up for the aforementioned deficiencies of Allen. Thus, the withdrawal of the rejection is respectfully requested.

### CONCLUSION

For the reasons detailed above, it is submitted all remaining claims (Claims 1-34) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

☒ Remaining Claims, as delineated below:

(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT LESS HIGHEST NUMBER PREVIOUSLY PAID FOR		(3) NUMBER EXTRA
TOTAL CLAIMS	34	- 34 =	0
INDEPENDENT CLAIMS	3	- 3 =	0

☒ This is an authorization under 37 CFR 1.136(a)(3) to treat any concurrent or future reply, requiring a petition for extension of time, as incorporating a petition for the appropriate extension of time. Applicant requests a one month extension of time to respond to the outstanding Office Action. The appropriate fee for the required Extension of Time is being charged to a Credit Card via the EFS Web.

☒ The Commissioner is hereby authorized to charge any filing or prosecution fees which may be required, under 37 CFR 1.16, 1.17, and 1.21 (but not 1.18), or to credit any overpayment, to Deposit Account 06-0308.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to call Kevin M. Dunn, at Telephone Number (216) 861-5582.

Respectfully submitted,

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